



Air Quality Permitting Statement of Basis

November 23, 2003

Tier II Operating Permit No. T2-030047

**Seneca Foods Corporation
Payette, Idaho**

AIRS FACILITY NO.: 075-00002

Prepared by:

*Bill Rogers
Permit Program Coordinator
Division of Air Quality*

FINAL

1. PURPOSE

The purpose for this memorandum is to satisfy the requirements of IDAPA 58.01.01.400 et seq., *Rules for the Control of Air Pollution in Idaho*.

2. PROJECT DESCRIPTION

On June 2, 2003, DEQ received written notice from Seneca Foods Corp. (Seneca) stating that they recently purchased the former Chiquita Processed Foods facility in Payette, and requesting that DEQ transfer to them ownership of the facility's existing Tier II operating permit. The existing Tier II operating permit was issued May 9, 2000 and expires May 9, 2005. DEQ has administratively amended the existing permit to accommodate the transfer of ownership, but has also updated (renumbered and reformatted) the permit by incorporating language common to all currently issued Tier II permits. No amendment made to the permit has made the permit more restrictive than it was before. The amendments simply clarify permit conditions so compliance with the underlying permit condition is easier to determine, or the amendment more closely reflects the underlying requirement upon which the permit condition is based.

For example, Permit Condition A.1 of the May 9, 2000 permit requires the following: *"All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651 (Rules for the Control of Air Pollution in Idaho)."*

Permit Condition 2.1 of the amended permit requires: *"All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of particulate matter. Some of the reasonable precautions include, but are not limited to, the following:*

- *Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.*
- *Application, where practical, of asphalt, oil, water, or suitable chemicals to, or covering of, dirt roads, material stockpiles, and other surfaces which can create dust.*
- *Installation and use, where practical, of hoods, fans, and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.*
- *Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts.*
- *Paving of roadways and their maintenance in a clean condition, where practical.*
- *Prompt removal of earth or other stored material from streets, where practical."*

Permit Condition 2.1 is more lengthy than Permit Condition A.2, but it more accurately reflects the underlying requirement, IDAPA 58.01.01.650-651.

Changes were made to the permit conditions specifically regulating can manufacturing primarily to make the permit conditions consistent with each other. For example, the existing permit regulates coatings applied on a "finished can unit" basis; however, the permit randomly refers to finish can units "can unit", "can", etc. To be consistent, "finished can unit" is used throughout the permit.

Clarifications were made to the monitoring and recordkeeping requirements for can manufacturing. The existing permit requirements are not clearly written. For example, Permit Condition 3.1.2 in

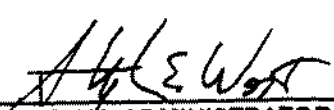
the existing permit requires that the permittee monitor and record monthly the amount, in gallons, of coatings and solvents consumed. The permit, however, does not regulate coatings or solvents in gallons. This type requirement makes compliance with the permit difficult at best.

Amended Tier II Operating Permit No. T2-030047 has corrected these permit conditions so compliance by the facility, the public, and DEQ can be more easily determined. The May 9, 2000 permit is attached to this document for reference.

3. RECOMMENDATIONS

Based on the review of the application materials and all applicable state and federal regulations, staff recommends that DEQ issue administratively amended Tier II Operating Permit No. T2-030047 to Seneca Foods Corp. in Payette.

BR/br Permit No. T2-030047 \\G:\Air Quality\Stationary Source\SS Ltd\T2\Seneca\T2-030047\T2-030047 Final SOB.doc

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1. PERMITTEE Chiquita Processed Foods																									
2. PROJECT Tier II Operating Permit																									
3. ADDRESS P.O. Box 460 25 North 6 th Street	TELEPHONE# (208) 642-6397	COUNTY Payette																							
4. CITY Payette	STATE Idaho	ZIP CODE 83661																							
5. PERSON TO CONTACT Steve Martin	TITLE Plant Manager																								
6. EXACT PLANT LOCATION 25 North 6 th Street, Payette, Idaho																									
7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS Manufacturer of Soups and Specialty Products																									
8. PERMIT AUTHORITY This permit is issued according to the Rules for the Control of Air Pollution in Idaho, Section 16.01.01.400 and pertains only to emissions of air contaminants which are regulated by the State of Idaho and to the sources specifically allowed to be operated by this permit. THIS PERMIT HAS BEEN GRANTED ON THE BASIS OF DESIGN INFORMATION PRESENTED IN THE APPLICATION AND DEQ'S TECHNICAL ANALYSIS OF THE SUPPLIED INFORMATION. CHANGES IN DESIGN OR EQUIPMENT, THAT RESULT IN ANY CHANGE IN THE NATURE OR AMOUNT OF EMISSIONS, MAY BE A MODIFICATION. MODIFICATIONS ARE SUBJECT TO DEPARTMENT REVIEW IN ACCORDANCE WITH Section 16.01.01.200 OF THE Rules for the Control of Air Pollution in Idaho.																									
 REGIONAL ADMINISTRATOR, BOISE REGIONAL OFFICE DIVISION OF ENVIRONMENTAL QUALITY		ISSUED DATE May 9, 2000 EXPIRATION DATE May 9, 2005																							

RECEIVED

MAY 11 2000

**AIR POLLUTION OPERATING PERMIT
PERMITTEE, PROJECT, AND LOCATION**

Chiquita Processed Foods
Tier II Operating Permit
Payette, Idaho

PERMIT NUMBER

075 - 00002

The Permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

SOURCE**FACILITY-WIDE CONDITIONS****A. FACILITY-WIDE CONDITIONS**

- A.1 All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 16.01.01.650-651 (*Rules for the Control of Air Pollution in Idaho*).
- A.2 The Permittee shall monitor and record in a log the periodic method(s) used to reasonably control fugitive emissions. The log shall include the type of control used (i.e. water, environmentally safe chemical dust suppressants, etc.).
- A.3 The Permittee shall maintain a log of all fugitive dust complaints received. The log shall, at a minimum, include the date that each complaint was received and a description of the following: the complaint, the Permittee's assessment of the validity of the complaint, and any corrective action taken. If the complaint has merit the Permittee shall take all necessary corrective action.
- A.4 No person shall allow, suffer, cause or permit the emission of odorous gases, liquids or solids into the atmosphere in such quantities as to cause air pollution.
- A.5 The Permittee shall maintain a log of odor complaints received. The log shall, at a minimum, include the date that each complaint was received and a description of the following: the complaint, the Permittee's assessment of the validity of the complaint, and any corrective action taken.
- A.6 The Permittee shall comply with the procedures and requirements of IDAPA 16.01.01.130-136 for excess emissions due to startup, shutdown, scheduled maintenance, safety measures, upsets and breakdowns.
- A.7 The facility shall comply with the requirements of IDAPA 16.01.01.600-616, Rules for the Control of Open Burning.
- A.8 Excess emissions reports and notifications required by IDAPA 16.01.01.130-136 shall be made to:

Air Quality Permit Compliance
Division of Environmental Quality
Boise Regional Office
1445 N. Orchard St.
Boise, Idaho 83706-2239

ISSUED: MAY 9, 2000
EXPIRES: MAY 9, 2005

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SOURCE

Can Manufacturing Plant

1. EMISSION LIMITS**1.1 Can Manufacturing Plant**

Emissions of volatile organic compounds (VOCs) from the can manufacturing plant shall not exceed any of the corresponding emission rate limits listed in Appendix A.

Emissions of glycol ethers from the can manufacturing plant shall not exceed any of the corresponding emission rate limits listed in Appendix A.

2. OPERATING REQUIREMENTS**2.1 Production Rate Limit**

Finished can unit production shall not exceed 1,440,000 units per day and 300,000,000 units per rolling twelve (12) month period. A can unit consists of 1 can body and 2.2 can ends.

2.2 VOC Content of Side Seam Coating

VOC content of the side seam coating shall not exceed sixty-five percent (65%) by weight.

2.3 VOC Content of End Coating

VOC content of the end coating shall not exceed seventy percent (70%) by weight.

2.4 Glycol Ethers Content of Side Seam Coating

Glycol Ethers content of the side seam coating shall not exceed thirty-one percent (31%) by weight.

2.5 Usage of Coatings and Solvents

2.5.1 Coating usage shall not exceed 63.0 pounds (lb) glycol ethers per 1,000,000 cans produced on a rolling twelve (12) month summation.

2.5.2 Coating and sealant and process solvent usage shall not exceed 637 pounds (lb) of volatile organic compounds (VOCs) per 1,000,000 cans produced on a rolling twelve (12) month summation.

2.5.3 Volatile organic compounds (VOCs) emissions from solvent usage for the purpose of cleaning of End Lines 1, 2, and 3 shall not exceed 28 pounds per day (lb/day) and 400 pounds per year (lb/yr).

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SOURCE

Can Manufacturing Plant

3. MONITORING AND RECORDKEEPING REQUIREMENTS

3.1 The Permittee shall record, in a monthly report, the following information:

3.1.1 Production

The Permittee shall monitor and record daily can production in terms of units per day.

3.1.2 Coating and Solvent Usage

The Permittee shall monitor and record monthly the amount, in gallons, of coating and solvent consumed. Solvent usage for the purpose of end line cleaning maintenance shall be monitored and recorded daily upon use in either gallons per day or pounds per day (lb/day).

3.1.3 Volatile Organic Compounds (VOCs) and Glycol Ethers

The Permittee shall monitor and record, when received, the weight percent of volatile organic compounds (VOCs) and glycol ethers in the solvents and coatings.

3.3 The report required by Section 3.1 of this permit shall be maintained on file by the Permittee for the most recent five (5) year period and made available to Department representatives upon request.

ISSUED: MAY 9, 2000
EXPIRES: MAY 9, 2005

APPENDIX A

CHIQUITA PROCESSED FOODS - PAYETTE

EMISSION LIMITS^a - DAILY (lb/day) AND ANNUAL (T/yr)

EMISSION UNIT DESCRIPTION	Glycol Ethers		VOCs	
	lb/day	T/yr	lb/day	T/yr
Can Manufacturing Plant	90.7	9.5	954	95.7

- a As determined by a pollutant specific promulgated U.S. EPA method, or Department approved alternative, or as determined by Department's emission estimation methods used in this permit analysis.

TIER II OPERATING PERMIT GENERAL PROVISIONS

- A. All emissions authorized herein shall be consistent with the terms and conditions of this permit. The emission of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the Rules for the Control of Air Pollution in Idaho, and the Environmental Protection and Health Act, Idaho Code 39-101 et. seq.
- B. The Permittee shall at all times (except as provided in the Rules for the Control of Air Pollution in Idaho) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable laws for the control of air pollution.
- C. The Permittee shall allow the Director, and/or his authorized representative(s), upon the presentation of credentials:
- 1) To enter upon the Permittee's premises where an emission source is located, or in which any records are required to be kept under the terms and conditions of this permit; and
 - 2) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and to require stack emission testing (i.e., performance tests) in conformance with state approved or accepted EPA procedures when deemed appropriate by the Director.
- D. Except for data determined to be confidential under Section 39-111, Idaho Code, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate regional office of the Division of Environmental Quality.
- E. Nothing in this permit is intended to relieve or exempt the Permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.
- F. In the event of any change in control or ownership of source(s) from which the authorized emissions emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Director.
- G. This permit shall be renewable on the expiration date, provided the Permittee submits any and all information necessary for the Director to determine the amount and type of air pollutants emitted from the equipment for which this permit is granted. Failure to submit such information within sixty (60) days after receipt of the Director's request shall cause the permit to be voided.
- H. The Director may require the Permittee to develop a list of Operation and Maintenance Procedures which must be approved by the Department. Such list of procedures shall become a part of this permit by reference, and the Permittee shall adhere to all of the operation and maintenance procedures contained therein.
- I. Performance tests (i.e.; air emission source tests) conducted pursuant to testing requirements in this permit must be conducted in accordance with the Department's Procedures Manual for Air Pollution Control. Such testing shall not be conducted on weekends or state holidays unless the Permittee obtains prior Department approval.
- The Permittee shall submit a test protocol and a proposed test date for each performance test required by this permit to the Department for approval at least thirty (30) days prior to each respective test date (including each test date for periodic tests such as, for example, annual tests). The Permittee shall promptly notify the Department of any change in the proposed test date and shall provide at least five (5) working days advanced notice prior to conducting any rescheduled test, unless the Department approves a shorter notice period.
- Within forty-five (45) days of the date on which a performance test required by this permit is concluded, the Permittee shall submit to the Department a performance test report for the respective test. The performance test report shall include any and all process operating data required to be recorded during the test period as well as the test results, raw test data, and associated documentation.
- The maximum allowable source operating rate shall be limited to 120% of the average operating rate attained during the most recent performance test conducted pursuant to this permit which demonstrated compliance with the respective pollutant emission limit unless; (1) a more restrictive operating limit is specified elsewhere in this permit or; (2) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit.
- J. The provisions of this permit are severable; and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

ISSUED: MAY 9, 2000
EXPIRES: MAY 9, 2005



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

1445 North Orchard • Boise, Idaho 83706-2238 • (208) 373-0550

Mariliza Seymour

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

May 9, 2000

CERTIFIED MAIL # P218 222 625

Mr. Steve Martin, Plant Manager
Chiquita Processed Foods
P.O. Box 460
Payette, Idaho 83661

RECEIVED

MAY 11 2000

DIV. OF ENVIRONMENTAL QUALITY
STATE A Q PROGRAM

RE: T2000019, Chiquita Processed Foods, Payette
(Project Description, PTC No. 075-00002)

Dear Mr. Martin:

On February 28, 2000, the Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ) received a Permit to Construct (PTC) application from Chiquita Processed Foods for ownership transfer of the operating permit. On March 29, 2000, the application was determined complete. Based on review of the application and all applicable state and federal rules and regulations, DEQ finds that this project meets the provisions of IDAPA 16.01.01.200 (*Rules for the Control of Air Pollution in Idaho*). Enclosed is PTC No. 075-00002.

This permit does not release the permittee from compliance with all other applicable federal, state, local, or tribal laws, regulations, or ordinances.

Please pay particular attention to the reporting requirements contained in Paragraph D of the General Provisions section of the permit. This information is needed to properly track the progress of the permit. Please refer to the appropriate permit number when submitting reports required in the Reporting Requirements section of the permit.

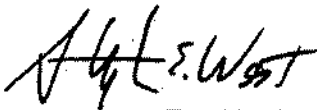
You are strongly encouraged to request a meeting with DEQ to discuss the permit terms and requirements with which your facility must comply. Mr. Thomas Krinke of the Boise Regional Office will contact you regarding this meeting. DEQ strongly recommends that in addition to your facility's plant manager, your responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions also attend the meeting.

Mr. Steve Martin
May 9, 2000
Page 2

You, as well as any other entity, may have the right to appeal this final agency action pursuant to the Idaho Department of Health and Welfare Rules, Title 5, Chapter 3, "Rules Governing Contested Case Proceedings and Declaratory Rulings," by filing a petition with the Hearings Coordinator, Department of Health and Welfare, Administrative Procedures Section, 450 West State Street, Tenth Floor, Boise, Idaho 83720-5450, within thirty-five (35) days of the date of this decision. However, DEQ encourages you to contact the Air Quality Permit Program to address any concerns you may have with the enclosed permit prior to filing a petition for a contested case.

If you have any questions regarding the terms or conditions of the enclosed permit, please contact Mr. Thomas Krinke, at (208) 373-0502.

Sincerely,



Stephen E. West
Administrator
Boise Regional Office

SEW/DH: tk:cm H:\TRANSFER\T2000019.FPL

Enclosures

cc: DEQ State Office
Boise RO
EPA Region 10